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Commissioner for Patents Examiner M. Kremer GAU 3736	703-872-9306	

FROM: Stephen C. Beuerle

**RE: Application No. 10/824,254
Our Ref. OCULIR03**

CC:

MESSAGE:

Attached is an amendment after final rejection with certificate of transmission

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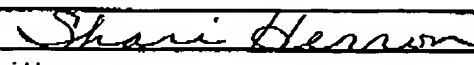
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/824,254
	Filing Date	04/14/2004
	First Named Inventor	John F. Burd
	Art Unit	3736
	Examiner Name	M. Kremer
Total Number of Pages in This Submission	Attorney Docket Number	OCULIR03

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Procopio, Cory, Hargreaves & Savitch LLP	
Signature		
Printed name	Stephen G. Beuerle	
Date	5/18/05	Reg. No. 38,380

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Signature		
Typed or printed name	Shari Herron	Date May 18, 2005

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MAY 18 2005

Serial No. 10/824,254
17 May 2005 Reply to
26 April 2005 Office Action**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****In re the Application of:**

Burd, et al.

Serial No.: 10/824,254

Filed: April 14, 2004

**For: METHOD AND INSTRUMENTS
FOR NON-INVASIVE ANALYTE
MEASUREMENT****Group Art Unit: 3736****Examiner: M. Kremer****Attorney No.:
OCULIR03****AMENDMENT**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Official Action dated April 26, 2005, reconsideration and allowance of the present application is respectfully requested in view of the following Amendments and Remarks, where:

Amendments to the Claims begin on page 2 of this paper; and**Remarks** begin on page 4 of this paper.**CERTIFICATE OF TRANSMISSION**

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Shari Herron
Printed Name

Signature of Person Faxing Papers

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